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Memo:NEWS ANALYSIS

## SEX LIVES BECOME AN ISSUE FOR PRESIDENTIAL HOPEFULS

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Gary Hart was jetting high over the American Southwest, two days into a campaign he hoped would soar on lofty visions, bold ideas and invigorated spirits. For two years Hart had prepared for this challenge; he met with foreign leaders and traveled the nation; he gleaned fresh insights that were reduced to weighty speeches and white papers.

So as his campaign plane flew toward yet another stop, the press demanded to talk with Hart on the subject that had dominated reporters' conversations for days: his sex life.

More precisely, they wanted to quiz him about rumors of marital infidelity.

"Anybody want to talk about ideas?" said an annoyed Hart.

This vignette may tell us something about Gary Hart, a man with an opaque past. But more instructive is what it says about the nature of the modern campaign in a

media-intensive age, where the scrutiny seems less intended to test a candidate's intelligence quotient than to expose his or her private life.

In particular, the Hart case raises real and serious questions about media ethics. To list a few:

Is it responsible for the media to report damaging rumors if they can't be substantiated? Or should the media withhold publication until they have solid evidence of infidelity?

Even if sexual adventures can be proven, do the media have a legitimate interest in a candidate's private sex life, assuming it doesn't interfere with doing the job?

Finally, to go back to Hart's question, can't the media stick to analyzing his ideas?

The former Colorado senator is hardly the first to have to struggle against unsubstantiated rumors about his private life. Republican presidential candidate Jack Kemp endured it last year. Rep. Philip Crane, an Illinois congressman who ran for the GOP nomination in 1980, was hounded in New Hampshire by unsubstantiated rumors that make Hart's pale in contrast.

Hart, however, is the latest and thus is in the news. Consider it a case study.

Passing mention

The press's interest in Hart's situation grows out of a recent Newsweek magazine profile that, ironically, gave his intimate life only passing mention.

According to Newsweek: "The Harts' marriage has been a long but precarious one, and he has been haunted by rumors of womanizing. Friends contend that his dating has been confined to marital separations -- he and Lee have had two -- nonetheless many political observers expect the rumors to emerge as a campaign issue.

" 'He's always in jeopardy of having the sex issue raised if he can't keep his pants on,' said John McEvoy, a key adviser from the 1984 campaign."

It wasn't meant as an expose, and the reporter apparently felt no compulsion to try to determine the truth or falsity of the rumors.

But what followed stands as both a demonstration of the pack-like character of today's media and a measure of how widely circulated the Hart rumors had been.

The New York Post weighed in with characteristic breathlessness: Gary: 'I'm no womanizer,' screamed its headline. In scores of other newspapers, long-planned profiles timed for publication with his announcement were reworked to include a mention of this "issue."

Reporters badgered Hart's staff for inside tips. They made note of the times candidate Hart touched his wife's hand or otherwise appeared affectionate toward her. When Hart was faced with such a question, other reporters gauged Lee Hart's reaction.

"I wish I could have put the camera on her," a Miami television reporter said after recording Hart's umpteenth reply.

From everywhere, questions about "the rumors" pursued him. From nowhere did anyone come forward with evidence of any infidelity.

Hart insists that he is an aggrieved, if not innocent, victim. When asked whether he would consider holding a press conference to "flat out challenge (the rumors) and deny them," he replied:

"I've done that. . . . But it's hard to disprove rumors if you don't know where they come from. And no one who asks me about the rumors ever tells me where they got

them.

"I've been in public life for 15 years and I think that if there was anything about my background that anybody had any information on, they would bring it forward. But they haven't."

Nonetheless, the rumor's momentum remains unchecked, despite the fact that Newsweek has in its current issue a letter from McEvoy under the headline "clarification."

In the letter, McEvoy angrily writes that the quote "attributed to me was made in a speculative and purely hypothetical context, contrary to the actual facts as I know them."

Newsweek offered no explanation of its decision to print the unsubstantiated rumors. Stephen Smith, the executive editor, declined comment for this article on whether the magazine had second thoughts about the issue it had raised.

For Hart, however, the "clarification" comes too late.

"If I was editing Newsweek and had the benefit of hindsight," says Professor Bruce J. Swain, who teaches journalistic ethics at the University of Georgia, "I might have put a reporter on (the womanizing rumors) for a week to see if we could either report it directly, or dispatch it.

"But now that it is out there, the candidate and the rest of the press just have to deal with it," Swain said. "You aren't protecting the people of Miami by refusing to report the rumor."

Mixed record

But what of the larger question? Are rumors of a candidate's private liaisons legitimate news?

The historical record is mixed. A century ago, Grover Cleveland was elected to a second term despite allegations that he had fathered a bastard child. More recently, historians have linked Franklin D. Roosevelt with his secretary Lucy Rutherford.

And the many liaisons of John F. Kennedy, both before and after his election to the presidency, were well known to friends in his lifetime and have achieved fabled proportions since his assassination.

In perhaps his most sensational liaison, Kennedy had an affair with Judith Exner, who later wrote that, at the same time, she was also involved with Mafia racketeer Sam Giancana. At the time, Giancana was actively hatching assassination plots against Cuban President Fidel Castro, who had driven the mob out of Havana.

What is remarkable about Kennedy's womanizing, however, is that little of it ever penetrated a media wall of silence -- apparently because reporters of that era believed that such affairs were nobody's business except, perhaps, President and Mrs. Kennedy's.

"It is certainly conceivable that if women had known of the attitudes that Kennedy had toward them, it could have become an issue," says political scientist Nelson Polsby, resident professor in the Press and Public Policy Institute at Harvard University's John F. Kennedy School of Government.

Most campaign consultants and media analysts find it inconceivable that today's media would go along with such silence. Some believe that can be attributed in part to the media's own embarrassment over their failure to report Kennedy's proclivities in light of books by Exner and others.

Polsby, an expert on the presidential election process, also argues that the nature of winning the presidential nomination has changed since Kennedy's time in a way that guarantees media probing.

Through 1960, the year Kennedy was elected, successful candidates relied mostly on the support of their peers, usually meeting in the proverbial smoke-filled rooms. These peers likely knew of Kennedy's private linkages, but decided they were irrelevant in comparison to his vote-getting appeal, his wit and his political acumen.

The media, which played only a minor role in the nominating process at that time, simply went along, according to Polsby's analysis. But no longer.

"We are now in a situation where there is almost no peer review of the nominee," he says. "The public does the picking through the primaries."

And to whom does the public look for its information? Who hears the rumors and does the peer review? The media.

"The burden on the press has become greater over the past 20 years," Polsby says. "A result is that its decisions about what to report have broadened."

Others also note that the media's probing into private sex lives is legitimized by recent history -- for example, the Kennedy-Exner-Giancana-Castro links -- and today's front pages.

"If we have Marines being seduced by Soviet female spies, it adds more fuel to this fire," says Swain.

"Are we going to have a president that is susceptible to that type of thing, who is in the sexual marketplace? The public has a right to ask that question."

#### Self-sustaining rumors

That, however, doesn't resolve the Hart situation, where there has been no substantiation of the rumors. In a harsh light, the media reports themselves are rumor-mongering, pure and simple.

So why have the media rushed the rumors to print? The answer appears to be that the rumors have achieved a critical mass, sustaining themselves through repetition and Hart's failure to categorically and convincingly deny them.

"They wouldn't get published (in Newsweek) if the media didn't find them plausible," speculates Polsby.

Veteran GOP political consultant Charles Black, who heads Kemp's candidacy, says rumors constantly swirl in and out of campaigns, many of them regarding propriety.

Only a few, however, enter the mainstream media. And those, Black says, are generally the ones that encounter no convincing contradictory evidence.

That doesn't mean rumors that gain wide circulation have a basis in truth.

In 1985, Kemp -- a former professional football star with a wife and three children -- was shadowed by a rumor that he had had a homosexual relationship some 20 years before.

At the time, Kemp was employed in the off-season as an aide to then-California Gov. Ronald Reagan. Kemp bought a Lake Tahoe condominium with another Reagan aide who subsequently admitted that he was a homosexual and that he had hosted homosexual parties at the condominium. Kemp insisted that he neither knew the man was a homosexual nor visited the condominium, which he said was an investment. Yet to kill the rumor, Kemp had to meet it head on.

He welcomed media investigations and sought opportunities to publicly, and flatly, deny such questions as "Are you now or were you ever a homosexual?"

It was an awkward period, said another Kemp adviser. But the campaign concluded that it was far better to crush the rumors in 1985 than face them "after the New

Hampshire primary" in 1988.

Swain, who writes extensively on media ethics, believes the media have a duty in the Hart case to investigate the rumors of his alleged womanizing and go public with whatever is found.

"A story dispatching the rumors would be just as interesting as one confirming them," he says.

For his part, Hart says he will simply ride out the current wave, expecting it to collapse of its own weight.

"No one has suggested what you do about vague, unfounded and unproved rumors," he told The Herald. "I think people are going to get tired of the question."